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**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF UTAH  
SOUTHERN DIVISION**

**IN RE:**

**CASE: 18-24577**

JERRY L. OWEN  
STACEY MARIE OWEN

**CHAPTER 13**

**Debtors**

**Hon. WILLIAM T. THURMAN**

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**TRUSTEE'S CONTINUING OBJECTION TO CONFIRMATION**

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The Standing Chapter 13 Trustee, hereby objects to confirmation based on the following unresolved issues:

1. The Plan fails to include a required non-standard provision in Part 8.1. See Local Rule 2083-2(f). The Debtor has failed to include a statement indicating the applicable commitment period is 36 month as a below median case.

**Restatement of Issues from Prior Objection(s):**

1. The Debtors have failed to select a method of plan payments in Part 2.2 of the Plan

2. The Trustee objects to the Plan because it fails to include contribution of tax refunds in Part 2.3.

3. The Debtors should establish notice of the Plan is proper as the separate certificate of service has not been filed for creditors listed in Part 3.2 or 3.4. See Federal Rule of Bankruptcy Procedure 3012 and 4003(d) and Local Rule 2083-2(h)(2) and (j)(2).

4. The Chapter 13 plan is unfeasible because the adequate protection payments and equal monthly payments less the Trustee's fees exceed the Debtors' Chapter 13 Plan payment. The Trustee cannot administer the claims unless the amount of the Debtors' Chapter 13 Plan payment is increased.

5. The Trustee objects to the Plan because it fails to clearly state the proposed return to non-priority unsecured creditors under Part 5.1.

6. The Debtors have failed to select when the property of the estate with vest in the Debtors in Part 7.1 of the Plan.

7. It appears the Debtors have erroneously listed a business on the Statement of Financial Affairs question number 27. If the Debtors are not associated with the business listed it should be removed.

THEREFORE, the Trustee has an ongoing objection to the confirmation.

Dated: August 24, 2018

LAJ /S/  
LON A. JENKINS  
CHAPTER 13 TRUSTEE

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing Continuing Objection to Confirmation was served upon all persons entitled to receive notice in this case via ECF Notification or by U.S. Mail to the following parties on August 24, 2018:

JEREMY R. MCCULLOUGH, ECF  
Notification

/s/ Shavlyn Lins